

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

GEORTO, INC.,)
Plaintiff,)
)
v.) Civ. Action No. 04cv11730-NG
)
WILLIAM GATEMAN,)
Defendant,)
Third Party Plaintiff,)
)
v.)
)
ROBERTS, INC.,)
Third Party Defendant.)
GERTNER, D.J.:

ORDER
July 3, 2007

For the reasons set forth in the accompanying Memorandum and Order, **JUDGMENT** is hereby entered in **favor of plaintiff Georto, Inc. and against William Gateman** -- individually and as Trustee of the 200 Union Street Trust -- on all counts. Accordingly, I award Georto, Inc. damages in the amounts of \$249,171.00 for removal of debris and replacement with fill and \$1,190.00 for payment of real estate taxes for a total of **TWO HUNDRED FIFTY THOUSAND, THREE HUNDRED SIXTY-ONE AND 00/100 (\$250,361.00)** **DOLLARS**, plus prejudgment interest at the statutory rate of 12% per year from the date of breach,¹ and reasonable attorneys fees and costs under M.G.L. ch. 93A. Plaintiff will file submissions

¹ June 18, 2003, with respect to the breach of warranty in the Purchase and Sale Agreement; September 23, 2004, with respect to the breach of the tax indemnification agreement.

regarding attorneys fees by **August 3, 2007**, with any response due by **August 17, 2007**, together with a final form of the Judgment.

SO ORDERED.

Date: July 3, 2007

/s/ Nancy Gertner
NANCY GERTNER, U.S.D.C.